

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2004-10170-GAO

DOMINGA RODRIGUEZ,
Defendant.

ORDER AND RECOMMENDATION AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)

COLLINGS, U.S.M.J.

A Final Status Conference was held on September 28, 2004.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the
numeration of matters listed in Local Rule 116.5(C), I report as follows:

(1) None.

(2) No.

- (3) No.
- (4) The United States has not requested notice of alibi.
- (5) The defendant shall file all non-discovery type motions *on or before the close of business on Thursday, October 21, 2004*; the Government's oppositions are due within the time provided by the Local Rules.
- (6) *An Initial Pretrial Conference should be set during the week of November 8, 2004 to hear any then-pending motions and to set a firm trial date.*
- (7) At this point, the case will have to be tried, although a plea is still a possibility.
- (8) See Further Order of Excludable Delay entered this date,
- (9) Three days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.
- (5) Three days.
- (6) None.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 ***DURING THE WEEK OF NOVEMBER***

8, 2004 to hear any then-pending motions, and, if the Court deems it appropriate, to set a trial date.

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE O'TOOLE'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

September 29, 2004.